



US Army Corps
of Engineers.

Nashville District

Public Notice

Public Notice No. 04-72

Date: October 6, 2004

Application No. 200401762

Please address all comments to: Nashville District Corps of Engineers,
Regulatory Branch (Attn: Richard Graham), 3701 Bell Road, Nashville, TN 37214.
Telephone (615) 369-7507, Fax (615) 369-7501.

SUBJECT: Proposed Channel Dredging

TO ALL CONCERNED: The project described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act (RHA) of 1899**. Even though the disposal of dredged material described in this notice occurs on the upland, the return water from a contained disposal area is administratively defined as a discharge of dredged material subject to the Clean Water Act. In this case, the return water from the proposed disposal areas meet the criteria for authorization under Nationwide Permit (NWP) #16, dated March 18, 2002. The state of Alabama issued a water quality certification for NWP #16 on March 15, 2002.

APPLICANT: Keithly Branch Community
Attn: Ronnie K. McNutt
130 Arrowhead Street
Florence, Alabama 35634

LOCATION: Mile 0.2, Keithly Branch, Opposite Tennessee River Mile 264.4R, Wilson Lake, Lauderdale County, AL (USGS Quad: Pruitton, AL; Latitude 34 deg 54 min 44 sec; Longitude 87 deg 35 min 45 sec).

DESCRIPTION: The applicant is applying for a permit on behalf of himself and five other dock owners whose lots border Keithly Branch. The branch has silted in and a peninsula of sediment approximately 400 feet in length has formed from the center to the right descending side of the channel. The proposed work would consist of dredging approximately 11,000 cubic yards of sediment and gravel from the branch for private and public boat access. The proposed dredging would lower the channel to approximate elevation 495.5 to provide the applicant and other dock owners year-round access to the lake. Dredging would be performed with a trackhoe during winter pool drawdown. Support pads would be used as needed. Dredged material would be loaded in a dump truck and placed as fill material within adjacent lots in such a way as to prevent runoff back into the lake. Excess dredged material would be removed from the site and disposed of at an upland location. Plans of the proposed work are attached.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the work, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

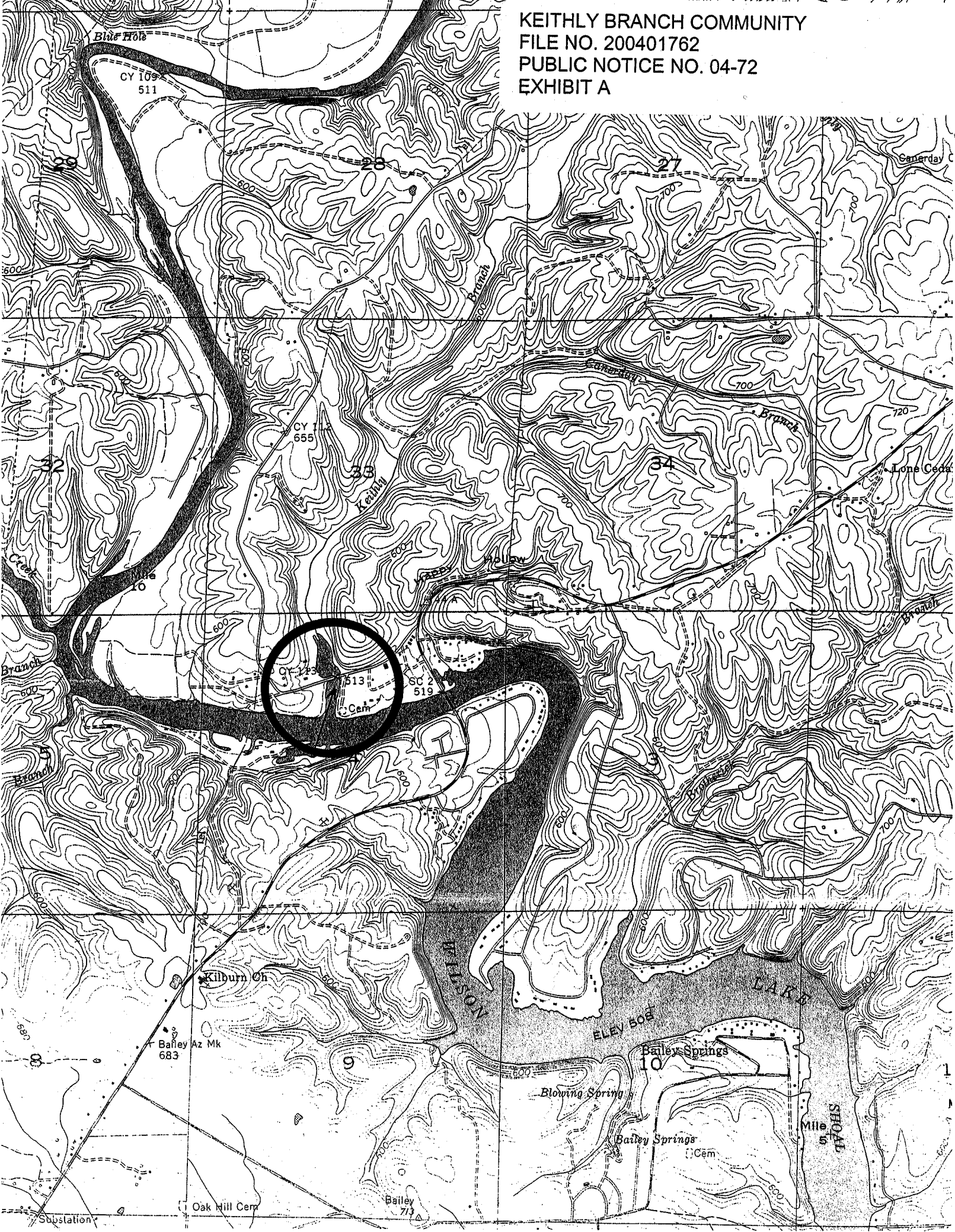
Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for hearings shall state, with particularity, the reasons for holding a hearing. Written statements received in this office on or before **October 25, 2004**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the

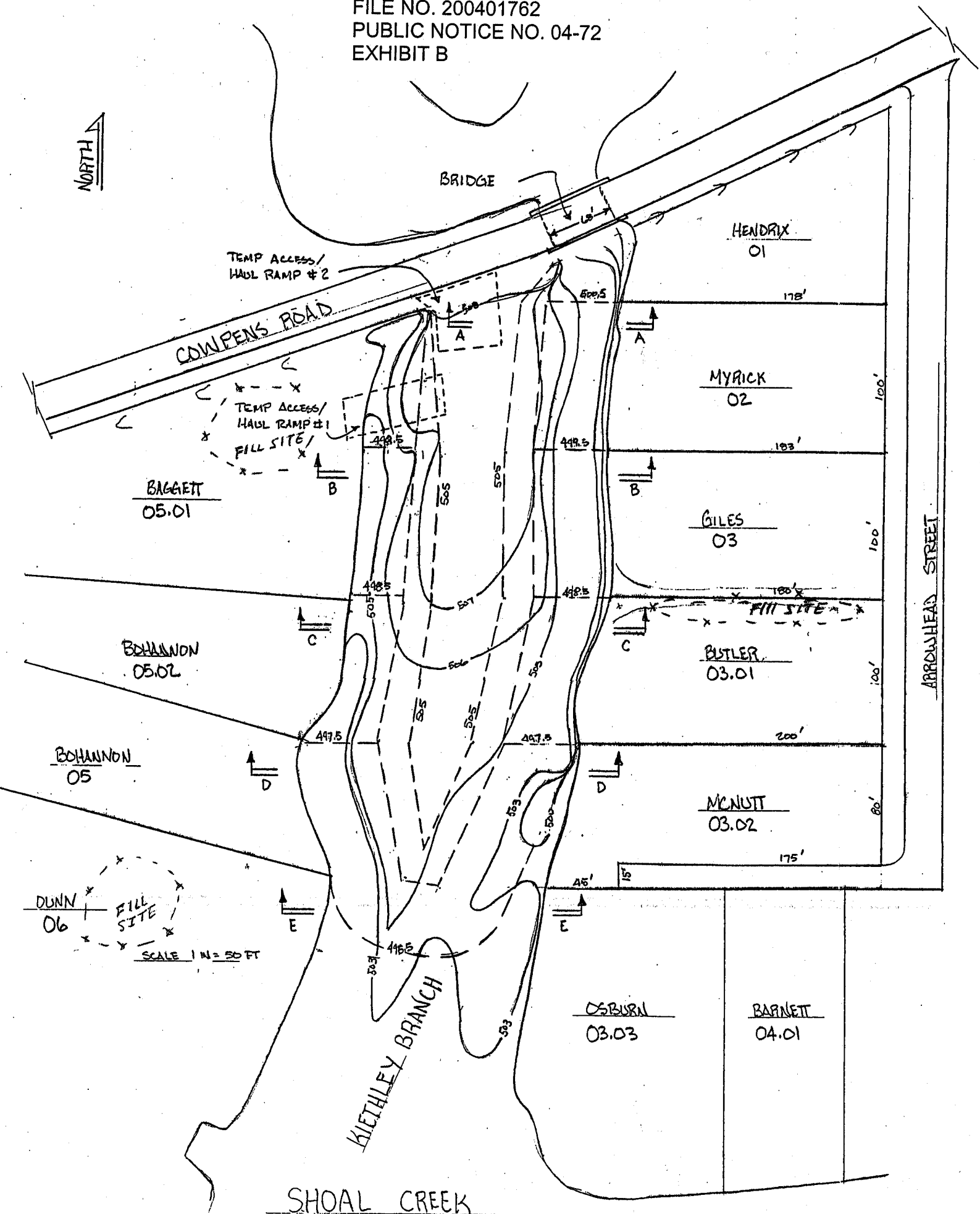
CELRN-OP-F 04-72

Regulatory Branch, Attn: Richard Graham, address above, telephone (615) 369-7507, Fax (615) 369-7501. The e-mail address is richard.graham@usace.army.mil.

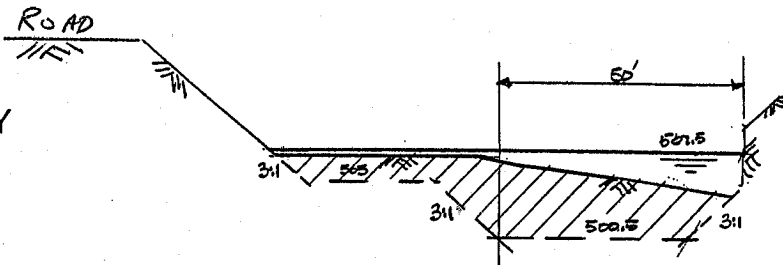
KEITHLY BRANCH COMMUNITY
FILE NO. 200401762
PUBLIC NOTICE NO. 04-72
EXHIBIT A



KEITHLY BRANCH COMMUNITY
FILE NO. 200401762
PUBLIC NOTICE NO. 04-72
EXHIBIT B



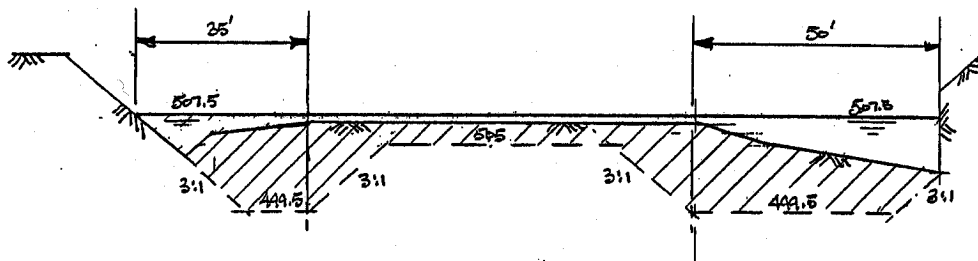
KEITHLY BRANCH COMMUNITY
FILE NO. 200401762
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EXHIBIT C



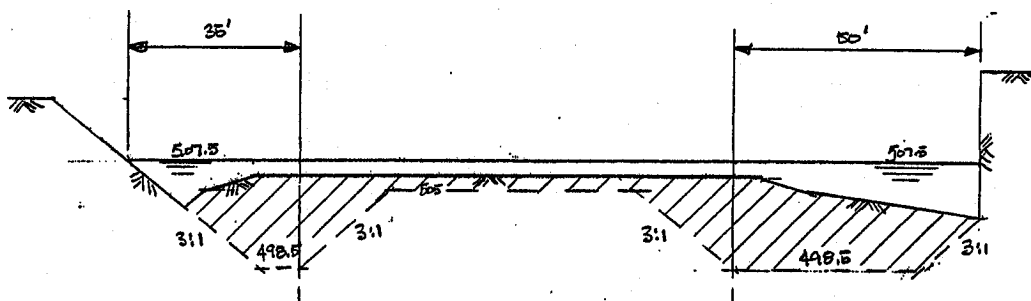
SECTION A-A*

HORIZ SCALE 1" = 25 FT (TYP)*

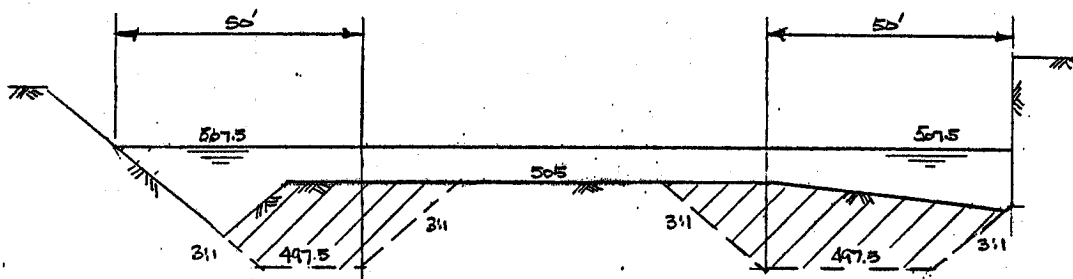
VERT SCALE 1" = 10 FT (TYP)*



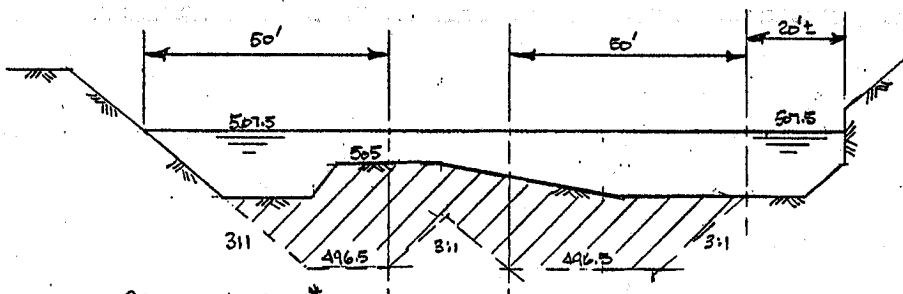
SECTION B-B*



SECTION C-C*



SECTION D-D*



SECTION E-E*

NOTES:

- 1- --- DENOTES EXISTING CONTOUR AS OF FEB 2004.
- 2- - - - DENOTES NEW CONSTRUCTION CONTOUR
- 3- - - - - DENOTES TEMP ACCESS/HAUL RAMP
- 4- NORMAL SUMMER WATER LEVEL IS 507.5 ON WILSON LAKE.
- 5- APPROX SEDIMENT TO BE REMOVED IS 11,000 CY.

KEITHLY BRANCH CREEK
SOUTH OF COUPENS ROAD BRIDGE

SCALE: AS SHOWN

APPROVED BY:

DRAWN BY R.H.M.

DATE: 3/2/2004

REVISED

DREDGE/EXCAVATION DETAILS FOR BOAT ACCESS

DRAWING NUMBER

0001